REMARKS

Claims 1-8 and 10-24 were pending when the Office Action was mailed. Applicant herein amends claims 1, 6, and 16, cancels claim 18, and does not present any new claims. Accordingly, claims 1-8, 10-17, and 19-24 remain pending.

The Office Action rejects claims 1-8, 10, 14-18, and 21-24 under 35 U.S.C. § 102(e) over U.S. Patent Publication No. 2003/0046281 by Son ("Son") and rejects claims 11-13, 19, and 20 under 35 U.S.C. § 103(a) over Son. Applicant respectfully traverses these rejections. Nevertheless, applicant herein amends the claims to clarify the subject matter for which protection is sought. For the reasons discussed in detail below, applicant submits that each of the pending claims is in condition for allowance.

Applicant's technology stores associations of search terms and advertisements and uses these associations to associate users with advertisements based on the search terms they employ. The association of users and advertisements assists in determining which advertisements to display to a user as the user visits different publishers' web sites. For example, when a user searches for "nine iron," the user may be associated with an advertisement for golf equipment if there is a pre-stored association of "nine iron" and an advertisement for golf equipment. At each opportunity to present an advertisement to a user, regardless of the website the user is visiting, the association of golf equipment with the user can be used to determine which advertisement to display.

In contrast, Son is directed to an information search system that provides search results in response to search requests and also records a search history that may include a user ID, search criteria, search results, and user comments. (Son, Abstract, ¶ [0091]). This search history can be shared with other users and used as a reference "from which retrievable content can be selected." (Son, Abstract). For example, a user can issue a request to search through search history records. (Son, ¶ [0096). The user can then select a record from among the identified history records matching the search

request to obtain the search results associated with that record. Son encourages users to share their search results in order to support search operations of others. (Son, ¶¶ [0013], [0016]).

Each of applicant's independent claims recite associating a user with either an advertisement or an advertising strategy based on the search terms the user employs in advance of the user visiting a publisher web site and then displaying the advertisement or enacting the advertising strategy in response to the user visiting a publisher web site. For example, claim 1 now recites "in response to the user visiting a publisher web site at a time subsequent to the association of the web search term with the advertisement, determining if the user has employed the search term in advance of the user visiting the publisher website; and if the user has employed the search term in advance of the user visiting the publisher website, then serving the advertisement to the user." Similarly, claim 6 now recites "based on the collected search terms, assigning each user to a selected advertising strategy…; and in response to a user visiting a publisher web site after the user is assigned to a selected advertising strategy, enacting the selected advertising strategy." Similarly, claim 16 now recites "searching the database to determine an advertising strategy to which the user's unique identifier was assigned prior to the user's current visit to the publisher web site, and serving to the user an advertisement associated with the advertising strategy." Son does not disclose these features. The relied-upon portions of Son describe serving and storing a search history, which the Office Action equates to an advertisement. Son serves the search history to the user in response to the user performing a search, not in response to a user visiting a web site (or "source of content"). Furthermore, Son does not serve the search history to the user based on a search the user has performed prior to visiting the search system. Rather, Son serves the search history in response to a search performed during the user's current visit. Although Son stores search histories, Son does not determine which search histories will be served to the user prior to a user performing a search. Accordingly, Son fails to teach or suggest presenting an advertisement to a user in response to the user visiting a publisher web site based on an association between the

user and an advertisement or an advertising strategy generated prior to the user visiting the website as recited. Accordingly, claims 1, 6, and 16 are patentable over Son, as are their dependent claims 2-5, 7-8, 10-15, 17, and 19-24.

Claims 6 and 16 have been amended to further distinguish these claims over the cited references. For example, claim 6 now recites "associating a time duration with the advertising strategy" and "assigning each user to a selected advertising strategy by comparing a set of search terms associated with an advertising strategy to the search terms collected for the user over the immediately preceding period equal to the time duration associated with the advertising strategy." In Son, search histories may include "information about when the search was executed" so that after a predetermined period elapses, the search history can be deleted. (Son, ¶ [0014]). Contrary to applicant's technology, Son does not disclose or suggest associating time durations with each search history. Furthermore, after the predetermined period, Son purges search histories whereas applicant's technology merely ignores search terms employed before a certain point in time when associating users with advertising strategies. Purging search histories in accordance with Son would tend to prevent applicant's technology from associating users with advertising strategies having longer time durations. Accordingly, claim 6 is patentable over Son, as are its dependent claims 7, 8, 10-15, 23, and 24.

Claim 16 now recites "generating a plurality of selected advertising strategies, each with an associated Boolean search expression, the Boolean search expression corresponding to search terms associated with the associated advertising strategy; [and] assigning identifiers to at least one of the advertising strategies by comparing the search terms collected for the user to the Boolean search expression associated with each advertising strategy." For each search history, Son stores the search criteria used to generate the search history. (Son, ¶ [0091]). This search criteria can be selected or queried by other users to retrieve recorded search histories. (Son, ¶¶ [0096]-[0098]). However, Son fails to teach or suggest associating a Boolean expression with an
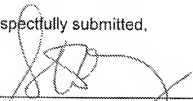
advertising strategy that can be used to associate a user with the advertising strategy based on the search terms employed by the user. Accordingly, claim 16 is patentable over Son, as are its dependent claims 17, 19, and 20.

In view of the above amendments and remarks, applicant believes the pending application is in condition for allowance and respectfully request reconsideration.

Please charge any deficiencies, or credit any overpayment, to our Deposit Account No. 50-0665, under Order No. 418268719US from which the undersigned is authorized to draw.

Dated: July 9, 2008

Respectfully submitted,

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